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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

'ĪLIO'ULAOKALANI COALITION, a )	Civil No. 04-00502 DAE BMK
Hawai'i nonprofit corporation; NĀ 'IMI )	
PONO, a Hawai'i unincorporated )	PLAINTIFFS' NOTICE OF TAKING
association; and KĪPUKA, a Hawai'i )	DEPOSITION UPON ORAL
unincorporated association, )	EXAMINATION PURSUANT TO
)	RULE 30(b)(6)
Plaintiffs, )	
)	
v. )	
)	
DONALD H. RUMSFELD, Secretary of )	
Defense; and FRANCIS J. HARVEY, )	
Secretary of the United States )	
Department of the Army, )	
)	
Defendants. )	
)	

PLAINTIFFS' NOTICE OF TAKING DEPOSITION  
UPON ORAL EXAMINATION PURSUANT TO RULE 30(b)(6)

EXHIBIT 4

TO: Harry Yee  
Assistant United States Attorney  
Office of the U.S. Attorney  
PJKK Federal Building  
300 Ala Moana Blvd., Rm. 6-100  
Honolulu, Hawai'i 96850

Barry A. Weiner  
Trial Attorney  
United States Department of Justice  
Environment & Natural Resources Division  
General Litigation Section, P.O. Box 663  
Washington, D.C. 20044-0663

[Attorneys for Defendants]

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, at 10:00 a.m. on December 5, 2006, at Earthjustice, 223 South King Street, Suite 340, Honolulu, Hawai'i 96813, plaintiffs 'Īlio'ulaokalani Coalition, Nā 'Imi Pono, and Kīpuka will take the deposition upon oral examination of the person(s) whom defendants Donald H. Rumsfeld and Francis J. Harvey shall designate as their authorized representative(s) who is/are most familiar with or has/have the most knowledge about the following matters:

- (1) The nature, scope and cost of the following four construction projects that defendants contend are critical for the 2<sup>nd</sup> Brigade of the 25<sup>th</sup> Infantry Division ("2<sup>nd</sup> Brigade") to be mission deployable as a Stryker Brigade Combat Team ("SBCT"): modifications to Range 11T at Pōhakuloa Training Area ("PTA"), the SBCT Motor Pool, the

Urban Assault Course (“UAC”), and the Multiple Deployment Facility (“MDF”);

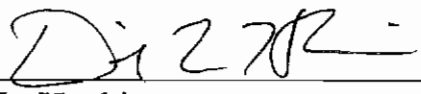
- (2) The basis of defendants’ contention that training at Qualification Training Range 1 and the UAC is critical for the 2<sup>nd</sup> Brigade to be mission deployable as an SBCT, including, but not limited to, why the 2<sup>nd</sup> Brigade cannot conduct its exercises at alternate ranges in Hawai‘i;
- (3) The basis of defendants’ contention that training with the Mobile Gun System at PTA’s Range 11T is critical for the 2<sup>nd</sup> Brigade to be mission deployable as an SBCT;
- (4) The basis of defendants’ contention that use of the SBCT Motor Pool and the MDF is critical for the 2<sup>nd</sup> Brigade to be mission deployable as an SBCT;
- (5) The nature, scope, timing, and location of each training exercise defendants propose to conduct in Hawai‘i for the 2<sup>nd</sup> Brigade to be mission deployable as an SBCT and the basis of defendants’ contention that each such training exercise is critical, must be conducted in Hawai‘i, and will not cause adverse impacts to the human environment;

- (6) The basis of defendants' contention that the 2<sup>nd</sup> Brigade cannot be temporarily re-stationed outside of Hawai'i to conduct the remaining training necessary to be mission deployable as an SBCT;
- (7) The basis of defendants' contention that the 2<sup>nd</sup> Brigade cannot complete its conversion to an SBCT at Fort Lewis; and
- (8) The basis of defendants' contention that the 2<sup>nd</sup> Brigade cannot train as an infantry brigade in lieu of training as an SBCT.

Said deposition shall be upon oral examination pursuant to Federal Rule of Civil Procedure 30 before an officer authorized by law to administer oaths. The oral examination shall continue until it is completed. You are invited to attend and cross-examine.

DATED at Honolulu, Hawai'i, November 20, 2006.

EARTHJUSTICE  
223 South King Street, Suite 400  
Honolulu, Hawai'i 96813

By:   
David L. Henkin  
Attorneys for Plaintiffs